BEFORE THE

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 348

IN THE MATTER OF: Served March 20, 1964

Application of Holiday Tours, Inc., for)   Application No. 18
a Certificate of Public.Convenience and)
Necessity (grandfather).   )   Docket No. 31

On March 10, 1964, by Order No. 343, the Commission, on reconsideration, reaffirmed its decision to deny the application of Holiday Tours, Inc., for a grandfather certificate of public convenience and necessity. On March 13, 1964, by Order No. 345, the Commission denied the motion of Holiday Tours, Inc., to stay the effectiveness of Order No. 343. Holiday Tours, Inc., has now filed for reconsideration of the denial of said motion.

The Commission has heretofore carefully considered applicant's allegations that it was bona fide engaged in bus transportation on the effective date of the Compact, and found that applicant's contentions are erroneous and that Holiday Tours, Inc., was bona fide engaged in performing only taxicab operations.

If applicant has ventured beyond taxicab operations since filing its taxicab application, it has done so at its own financial risk. The Commission cannot, in good conscience, allow someone to operate in a regulated industry subsequent to a finding that it was not entitled to do so. The public interest is paramount here and, in the absence of evidence that the public interest requires additional service, the Commission cannot assume that it does. In fact, applicant herein was denied a certificate of public convenience and necessity on October 11, 1962, because, inter alia, the public convenience and necessity did not require its proposed service, identical with the service sought to be authorized herein.

The Commission is of the opinion that the petition for reconsideration should be denied.

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THEREFORE, IT IS ORDERED that the petition of Holiday Tours, Inc., for reconsideration of the denial of the motion to stay be, and it is hereby, denied.

BY DIRECTION OF THE COMMISSION:

DELMER ISON
Executive Director